

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2006-2226-MWD-E TCEQ ID: RN101515435 CASE NO.: 31999
RESPONDENT NAME: Camp Olympia, Inc.

Page 1 of 2

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input checked="" type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Camp Olympia, 723 Olympia Drive, Trinity, Trinity County</p> <p>TYPE OF OPERATION: Domestic wastewater system</p> <p>SMALL BUSINESS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on April 2, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Mr. Harvey Wilson, Enforcement Division, Enforcement Section II, MC 219, (512) 239-0321; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896 Respondent: Mr. Tommy Ferguson, Director, Camp Olympia, Inc., 723 Olympia Drive, Trinity, Texas 75862 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: November 15, 2006</p> <p>Date of NOE Relating to this Case: November 15, 2006 (NOE)</p> <p>Background Facts: This was a routine record review. One violation was documented.</p> <p>WATER</p> <p>Failed to comply with the permit limit for total ammonia nitrogen daily average at Outfall 001A. Specifically, the total ammonia nitrogen daily average at Outfall 001A for the monitoring periods ending July 31, 2006 and August 31, 2006 were 5.68 milligrams per liter ("mg/L") and 16.62 mg/L, respectively, and the permit limit was 3 mg/L [Texas Pollutant Discharge Elimination System ("TPDES") Permit No. 0014261001 Effluent Limitations and Monitoring Requirements, 30 TEX. ADMIN. CODE § 305.125(1), and TEX. WATER CODE § 26.121(a)].</p>	<p>Total Assessed: \$2,450</p> <p>Total Deferred: \$490 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$1,960</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Ordering Provisions:</p> <p>The Order will require the Respondent to, within 30 days after the effective date of this Agreed Order, submit written certification of compliance with the effluent limits of TPDES Permit No. 0014261001. The certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance.</p>



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision December 8, 2006

TCEQ

DATES	Assigned	11-Dec-2006	Screening	13-Dec-2006	EPA Due	
	PCW	20-Dec-2006				

RESPONDENT/FACILITY INFORMATION

Respondent	Camp Olympia, Inc.		
Reg. Ent. Ref. No.	RN101515435		
Facility/Site Region	10-Beaumont	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	31999	No. of Violations	1	
Docket No.	2006-2226-MWD-E	Order Type	1660	
Media Program(s)	Water Quality	Enf. Coordinator	Harvey Wilson	
Multi-Media		EC's Team	EnforcementTeam 4	
Admin. Penalty \$	Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$1,000**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History **148%** Enhancement **Subtotals 2, 3, & 7** **\$1,480**

Notes An enhancement of 148% is recommended because of 1 prior Agreed Order, 24 previous NOV's for the same or similar violations, and 4 NOV's for non-similar violations.

Culpability **No** **0%** Enhancement **Subtotal 4** **\$0**

Notes Respondent does not meet the culpability criteria.

Good Faith Effort to Comply **0%** Reduction **Subtotal 5** **\$0**

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes The Respondent does not meet the good faith criteria.

Total EB Amounts **\$125** **0% Enhancement*** **Subtotal 6** **\$0**
Approx. Cost of Compliance **\$2,500** ***Capped at the Total EB \$ Amount**

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$2,480**

OTHER FACTORS AS JUSTICE MAY REQUIRE **-1%** **Adjustment** **-\$30**

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes Recommend reduction in penalty amount so that monthly self-reported violations do not overly impact the penalty amount.

Final Penalty Amount **\$2,450**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$2,450**

DEFERRAL **20%** Reduction **Adjustment** **-\$490**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes Deferral offered for expedited settlement.

PAYABLE PENALTY **\$1,960**

Screening Date 13-Dec-2006

Docket No. 2006-2226-MWD-E

PCW

Respondent Camp Olympia, Inc.

Policy Revision 2 (September 2002)

Case ID No. 31999

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN101515435

Media [Statute] Water Quality

Enf. Coordinator Harvey Wilson

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	24	120%
	Other written NOVs	4	8%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 148%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

An enhancement of 148% is recommended because of 1 prior Agreed Order, 24 previous NOVs for the same or similar violations, and 4 NOVs for non-similar violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 148%

Screening Date 13-Dec-2006

Docket No. 2006-2226-MWD-E

PCW

Respondent Camp Olympia, Inc.

Policy Revision 2 (September 2002)

Case ID No. 31999

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN101515435

Media [Statute] Water Quality

Enf. Coordinator Harvey Wilson

Violation Number 1

Rule Cite(s) TPDES Permit No. 0014261001, Effluent Limitations and Monitoring Requirements; 30
Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)

Violation Description

Failed to comply with permit effluent limits. Specifically, the total ammonia nitrogen daily average at Outfall 001A for the monitoring periods ending 07/31/2006 and 08/31/2006 were 5.68 mg/L and 16.62 mg/L, respectively, and the permit limit is 3 mg/L.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 10%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

A simplified model was used to evaluate ammonia nitrogen ("NH₃-N") to determine whether the discharged amounts of pollutants exceeded levels protective of human health or the environment. Daily average flow and carbonaceous biochemical oxygen demand ("CBOD") values were also considered. As a result of these discharges, human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1

61 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$1,000

One quarterly event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$125

Violation Final Penalty Total \$2,450

This violation Final Assessed Penalty (adjusted for limits) \$2,450

Economic Benefit Worksheet

Respondent Camp Olympia, Inc.
Case ID No. 31999
Reg. Ent. Reference No. RN101515435
Media Water Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$2,500	1-Jul-2006	1-Jul-2007	1.0	\$125	n/a	\$125

Notes for DELAYED costs

The estimated cost for additional oversight and sampling which could have reduced or alleviated the exceedances. The Date Required is the day the noncompliance started. The Final Date is the expected compliance date.

Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,500

TOTAL

\$125

Compliance History

Customer/Respondent/Owner-Operator: CN602522922 Camp Olympia, Inc. Classification: AVERAGE Rating: 4.40
 Regulated Entity: RN101515435 CAMP OLYMPIA Classification: AVERAGE Site Rating: 4.40
 ID Number(s): PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 2280025
 WASTEWATER PERMIT TPDES0073539
 WASTEWATER PERMIT WQ0014261001
 WASTEWATER PERMIT TPDES0119415
 WASTEWATER LICENSING PERMIT TX0119415
 WASTEWATER LICENSING WQ0011898001
 Location: 723 OLYMPIA DR, TRINITY, TX, 75862 Rating Date: 9/1/2006 Repeat Violator: NO
 TCEQ Region: REGION 10 - BEAUMONT
 Date Compliance History Prepared: December 12, 2006
 Agency Decision Requiring Compliance Enforcement
 Compliance Period: December 12, 2001 to December 12, 2006
 TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History
 Name: Harvey Wilson Phone: 239-0321

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? No
3. If Yes, who is the current owner? N/A
4. If Yes, who was/were the prior owner(s)? N/A
5. When did the change(s) in ownership occur? N/A

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

N/A Effective Date: 11/26/2004 ADMINORDER 2003-0024-MWD-E
 Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 317 317.3(e)(5)

Rqmt Prov: Operational Requirements No. 1 PERMIT
 Description: Failure to properly operate and maintain all systems of collection, treatment, and disposal.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 319, SubChapter A 319.11(b)

30 TAC Chapter 319, SubChapter A 319.11(c)

Rqmt Prov: Monitoring & Reporting Requirements 2. PERMIT
 Description: Monitoring and reporting requirements.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Monitoring & Reporting Requirements 7.c. PERMIT
 Description: Failure to report 40% noncompliances to the TCEQ within the required notification period.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]

Rqmt Prov: Effluent Limitations Nos. 1,2 and 6 PERMIT
 Description: Failure to comply with the permit limits for 7 separate parameters for a varied period over the course of 28 months.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1 10/28/2002 (199704)
N/A

2 08/19/2003 (146208)

3 10/28/2002 (199707)

4 08/15/2002 (3666)

5 08/23/2005 (447665)

6 09/19/2005 (447666)

7 10/28/2002 (199710)

8 01/11/2002 (199712)

9 10/28/2002 (199713)

10 01/11/2002 (199715)

11 12/20/2002 (199716)

12 07/31/2003 (143461)

13 01/11/2002 (199718)

14 12/20/2002 (199719)

15 01/25/2002 (199722)

16 02/05/2003 (199723)

17 08/11/2004 (262239)

18 12/08/2006 (531229)

19 05/30/2003 (359279)

20 06/30/2003 (359280)

21 07/31/2003 (359281)

22 04/08/2005 (427643)

23 08/28/2003 (359282)

24 05/27/2005 (427644)

25 09/26/2003 (359283)

26 02/21/2006 (492736)

27 03/17/2006 (492737)

28 10/17/2005 (492738)

29 11/21/2005 (492739)

30 11/01/2004 (390166)

31 12/15/2005 (492740)

32 11/19/2004 (390167)

33 01/20/2006 (492741)

34 11/22/2004 (390168)

35 03/05/2002 (199687)

36 01/24/2005 (390169)

37 11/30/2006 (531841)

38 03/12/2004 (327701)

39 03/13/2003 (199688)

40 04/26/2004 (327702)

41 06/10/2002 (IE001825500100)

42 09/08/2004 (292604)

43 04/26/2004 (327703)

44 11/07/2003 (327704)

45 08/22/2002 (4688)

46 01/14/2004 (327705)

47 03/27/2002 (199690)

48 01/14/2004 (327706)

49 06/07/2004 (367206)

50 04/14/2003 (199691)

51 06/07/2004 (367207)

52 04/20/2006 (506406)

53 07/19/2004 (367208)
 54 05/18/2006 (506407)
 55 08/31/2004 (367209)
 56 06/16/2006 (506408)
 57 09/24/2004 (367210)
 58 04/29/2002 (199695)
 59 05/09/2003 (199696)
 60 06/03/2002 (199699)
 61 07/13/2006 (528626)
 62 09/05/2006 (528627)
 63 10/28/2002 (199701)
 64 09/18/2006 (528628)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

N/A

Date: 06/30/2002 (199704)

Self Report? YES	Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)	
TWC Chapter 26 26.121(a)[G]	
Description: Failure to meet the limit for one or more permit parameter	
Date: 08/31/2006 (528628)	
Self Report? YES	Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)	
TWC Chapter 26 26.121(a)[G]	
Description: Failure to meet the limit for one or more permit parameter	
Date: 07/31/2002 (199707)	
Self Report? YES	Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)	
TWC Chapter 26 26.121(a)[G]	
Description: Failure to meet the limit for one or more permit parameter	
Date: 12/01/2006 (531841)	
Self Report? NO	Classification: Minor
Rqmt Prov: PERMIT IA	
Description: Failure by Camp Olympia to document the secondary standard checks for the colorimeter used for chlorine residual analysis.	
Self Report? NO	Classification: Minor
Rqmt Prov: PERMIT IA	
Description: Failure by the permittee to comply with test procedures as specified in 30 TAC 319.11-319.12.	
Self Report? NO	Classification: Minor
Rqmt Prov: PERMIT IA	
Description: Failure by Camp Olympia to notify the TCEQ Region 10 Office and the Manager of the Enforcement Section III (MC 149) of the Enforcement Division, within the required notification period, for each effluent violation which deviated from the permitted effluent limitation by more than 40%.	
Self Report? NO	Classification: Moderate
Rqmt Prov: PERMIT IA	
Description: Failure by Camp Olympia to comply with the permitted effluent limits for ammonia (NH3).	
Date: 08/31/2002 (199710)	
Self Report? YES	Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)	
TWC Chapter 26 26.121(a)[G]	
Description: Failure to meet the limit for one or more permit parameter	
Date: 06/23/2006 (467587)	
Self Report? NO	Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter B 111.201
5C THC Chapter 382, SubChapter A 382.085(b)
Description: FAILURE TO PERFORM AUTHORIZED OUTDOOR BURNING.
Date: 09/30/2002 (199713)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 10/31/2002 (199716)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 11/30/2002 (199719)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 08/15/2002 (3666)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(5)[G]
Description: Failure to conduct chlorine residual sampling from locations representative of the distribution system.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(1)[G]
Description: Failure to conduct bacteriological monitoring from those sites identified on the sample site plan.
Date: 12/31/2001 (199722)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 12/31/2002 (199723)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 07/31/2003 (143461)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(5)[G]
Description: Failure to perform at least once every seven days, chlorine residual tests on water collected from various locations within the distribution system.
Date: 04/30/2003 (359279)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 05/31/2003 (359280)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 04/08/2004 (262239)

Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(5)[G]	
Description:	Failure to conduct chlorine residual sampling from locations representative of the distribution system.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter F 290.110(c)(1)[G]	
Description:	Failure to conduct bacteriological monitoring from those sites identified on the sample site plan.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(III)	
	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(III)	
	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)	
	30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(vi)	
	30 TAC Chapter 290, SubChapter D 290.46(f)[G]	
Description:	Failure to maintain a record of operations.	
Date:	06/30/2003	(359281)
Self Report?	YES	Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	
	TWC Chapter 26 26.121(a)[G]	
Description:	Failure to meet the limit for one or more permit parameter	
Date:	02/28/2005	(427643)
Self Report?	YES	Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	
	TWC Chapter 26 26.121(a)[G]	
Description:	Failure to meet the limit for one or more permit parameter	
Date:	07/31/2003	(359282)
Self Report?	YES	Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	
	TWC Chapter 26 26.121(a)[G]	
Description:	Failure to meet the limit for one or more permit parameter	
Date:	08/31/2003	(359283)
Self Report?	YES	Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	
	TWC Chapter 26 26.121(a)[G]	
Description:	Failure to meet the limit for one or more permit parameter	
Date:	01/31/2002	(199687)
Self Report?	YES	Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	
	TWC Chapter 26 26.121(a)[G]	
Description:	Failure to meet the limit for one or more permit parameter	
Date:	01/31/2003	(199688)
Self Report?	YES	Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	
	TWC Chapter 26 26.121(a)[G]	
Description:	Failure to meet the limit for one or more permit parameter	
Date:	02/28/2002	(199690)
Self Report?	YES	Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	
	TWC Chapter 26 26.121(a)[G]	
Description:	Failure to meet the limit for one or more permit parameter	
Date:	02/28/2003	(199691)
Self Report?	YES	Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 03/31/2002 (199695)
 Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 04/30/2002 (199699)
 Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 07/31/2006 (528627)
 Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 05/31/2002 (199701)
 Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CAMP OLYMPIA, INC.
RN101515435

§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2006-2226-MWD-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Camp Olympia, Inc. ("Camp Olympia") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and Camp Olympia appear before the Commission and together stipulate that:

1. Camp Olympia owns and operates a domestic wastewater system facility at 723 Olympia Drive, Trinity, Trinity County, Texas (the "Facility").
2. Camp Olympia has discharged municipal waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26
3. The Commission and Camp Olympia agree that the Commission has jurisdiction to enter this Agreed Order, and that Camp Olympia is subject to the Commission's jurisdiction.
4. Camp Olympia received notice of the violations alleged in Section II ("Allegations") on or about November 20, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Camp Olympia of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Two Thousand Four Hundred Fifty Dollars (\$2,450) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Camp Olympia has paid One Thousand Nine Hundred Sixty Dollars (\$1,960) of the administrative penalty and Four Hundred Ninety Dollars (\$490) is deferred contingent upon Camp Olympia's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Camp Olympia fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Camp Olympia to pay all or part of the deferred penalty.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and Camp Olympia have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Camp Olympia has not complied with one or more of the terms or conditions in this Agreed Order.
10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the facility, Camp Olympia is alleged to have failed to comply with the permit limit for total ammonia nitrogen daily average at Outfall 001A, in violation of TPDES Permit No. 0014261001 Effluent Limitations and Monitoring Requirements, 30 TEX. ADMIN. CODE § 305.125(1), and TEX. WATER CODE § 26.121(a), as documented during a record review conducted on November 15, 2006. Specifically, the total ammonia nitrogen daily average at Outfall 001A for the monitoring periods ending July 31, 2006 and August 31, 2006 were 5.68 mg/L and 16.62 mg/L, respectively, and the permit limit was 3 mg/L.

III. DENIALS

Camp Olympia generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Camp Olympia pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Camp Olympia's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Camp Olympia, Inc., Docket No. 2006-2226-MWD-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. It is further ordered that Camp Olympia shall within 30 days after the effective date of this Agreed Order, submit written certification of compliance with the effluent limits of Texas Pollutant Discharge Elimination System ("TPDES") Permit No. 0014261001. The certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance, be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Quality Section, Manager
Dallas/Fort Worth Regional Office
Texas Commission on Environmental Quality
2301 Gravel Drive
Fort Worth, Texas 76118-6951

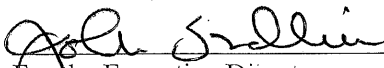
3. The provisions of this Agreed Order shall apply to and be binding upon Camp Olympia. Camp Olympia is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. If Camp Olympia fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Camp Olympia's failure to comply is not a violation of this Agreed Order. Camp Olympia shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Camp Olympia shall notify the Executive Director within seven days after Camp Olympia becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Camp Olympia shall be made in writing to the Executive Director. Extensions are not effective until Camp Olympia receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

6. This Agreed Order, issued by the Commission, shall not be admissible against Camp Olympia in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Camp Olympia, or three days after the date on which the Commission mails notice of the Order to Camp Olympia, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

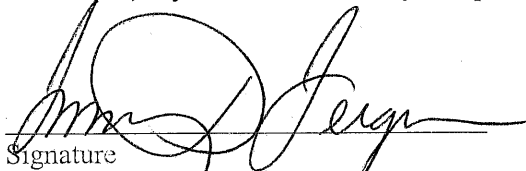
Date 7/25/07

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by me;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions against me;
- Automatic referral to the Attorney General's Office of any future enforcement actions against me; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.


Signature

Date 5-28-07

TOMMY D. FERGUSON
Name (Printed or typed)
Authorized Representative of
Camp Olympia, Inc.

Title DIRECTOR

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

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